

West Virginia Delegation Unveils Mine Safety Bill

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-- The West Virginia Congressional Delegation is hoping for quick consideration of its legislation to improve mine safety and save miners' lives.

"We need more than platitudes to protect the safety of our nation's miners. We need resources. We need swift action. We need to impress deeply upon the psyche of MSHA and the nation's coal mine operators that the safety of miners will not be compromised for personal profit or for politics," Senator Robert C. Byrd, D-W.Va., stated in the Senate Wednesday. "Protecting the safety of our miners is a moral responsibility, and this legislation will help to make sure we never, ever, forget that."

"The last few weeks have been an emotional roller coaster in West Virginia and across the country as we've endured the loss of 14 miners in West Virginia and 1 in Kentucky due to a series of coal mine accidents. Everybody understands that coal mining is very dangerous, but frankly, coal miners keep the lights of America on," Senator Jay Rockefeller, D-W.Va., said. "We have to make sure that the legacy of these miners who died will be that these kinds of tragedies never happen again."

The Senate version of the bill is S.2231 and will be considered by the Senate Health, Education, Labor, and Pensions Committee.

The House version of the bill will be considered by the House Education and Workforce Committee.

"I aim to ensure that the legacy of the Sago and Alma Miners will be the certainty that those laws are not left to idle on the shelf, but are, instead, enforced to the fullest extent. We owe them, their brothers and sisters still in the mines, and those yet to don a miner's cap, nothing less," stated Third District Representative Nick J. Rahall, D-W.Va., who represents Southern West Virginia, where the Melville mining tragedy occurred.

"The tragedies suffered in West Virginia this year have pointed the way to a number of steps which, we hope, can help protect the lives of coal miners," explained First District Representative Alan B. Mollohan, D-W.Va. "While there will always be dangers associated with mining, past experience proves that we can find ways to make improvements in worker safety. We believe that the new rescue and enforcement requirements in this legislation are critically important additions to existing law."

"This is an important day for West Virginia and this country. The legislation that has been crafted by the West Virginia delegation meets a great challenge -- a challenge of securing the safety of our cherished family of miners," explained Second District Representative Shelley Moore Capito, R-W.Va., whose district includes Upshur County where the Sago tragedy occurred. "Through this legislation, we can begin to take the steps needed to prevent the type of mine tragedies that have recently befallen our state. I look forward to supporting this bill as it moves forward in Congress."

The legislation focuses on several areas, including:

- Rapid Notification and Response -- require MSHA to establish a rapid notification and response system, and require coal operators to expeditiously notify MSHA of emergencies, or subject themselves to a \$100,000 fine. It took 11 hours before the rescue operation at Sago entered the mine;

- Emergency Communications and Breathing Equipment -- require coal operators to store additional emergency breathing caches underground, and require emergency communications equipment for surface rescue efforts to locate and communicate with miners underground. The Sago miners had only one hour of oxygen to last through a forty-hour rescue operation, and no communication was possible with the trapped miners at both Sago and Alma;

- Penalties -- create a new mandatory minimum penalty of \$10,000 for coal operators that show "negligence or reckless disregard" for the safety standards of the Mine Act. Sago had 276 safety violations, and paid fines as low as \$99 for "significant and substantial" violations;

- Belt Entries -- nullify an MSHA rule issued in 2004 that authorizes the use of belt entries for ventilation, which may have caused the Alma fire;

- Technology -- create a science and technology transfer office in MSHA to pull research and development ideas from other federal agencies for use in the mines; and

- Miner Ombudsman -- create an ombudsman in the Labor Department's Inspector General office for miners to report safety violations.

The Delegation's actions come on the heels of the deaths of 14 West Virginia coal miners in two separate mining tragedies. A dozen men were killed after an explosion trapped them in the International Coal Group's Sago mine in Upshur County, while two other men died after an underground fire trapped them in the Aracoma Alma mine in Logan County.

This past weekend again highlighted the importance of advanced safety technologies and emergency planning in mining. Fire broke out Sunday in a mine in central Canada, forcing some 70 miners trapped underground to retreat to emergency refuge rooms stocked with oxygen and supplies, a mine official said. A spokesman for the Minneapolis-based firm that operates the mine explained that, because of those rooms, the miners were able to stay clear of toxic gases and survive the weekend disaster.